

**BOARD OF NURSING
MINUTES
MADISON, WI
January 15, 2004**

PRESENT: June Bahr, Jacqueline Johnsrud, Bettye Lawrence (arrived at 10:04am),
Blaine Ropson, Linda Sanner, Kathleen Sullivan

EXCUSED: Marilyn Kaufmann, Marie Kohlbeck,

STAFF PRESENT: Kimberly Nania, Director of Health Services; Bill Black, Legal Counsel;
Gina York, Minute taker, DOE and other staff

GUESTS: Judith Warmuth, WHA; Gina Dennik-Champion, WNA;
Beverly Sigl Felten, Ph.D., RN; Lori Eshleman, Law Office of Brenda
Lewison; Brenda Lewison, Law Office of Brenda Lewison (Representing
Licensees)

CALL TO ORDER

Linda Sanner called the meeting to order at 9:34 a.m. A quorum of six members was present.

AGENDA

Addendums to the Agenda:

- Open Session, After Proposed Stipulation Received After Mailing of Agenda – Add name: Michelle M. Donar, RN
- Closed Session, Insert Deliberation of Proposed Stipulation Received After Mailing of Agenda – Add name: Michelle M. Donar, RN
- Closed Session, Insert Deliberation of Monitoring Received After Mailing of Agenda – Add names: Deborah Kloss, RN and Caley Powell, RN
- Closed Session, Insert Deliberation of Administrative Warnings Received After Mailing of Agenda – Add name: Eddie J. Evans, LPN
- Closed Session, Remove the following Items from the Agenda: (E) Lynn K. Cihlar; (R.) Mary L. Moore, RN; (S.) Christine A. Schumacher, LPN; (T.) Suzanne M. Higgins, LPN.

MOTION: June Bahr moved, seconded by Kathleen Sullivan to approve the agenda as amended. Motion carried unanimously.

ELECTION OF OFFICERS

The Board held elections for officers at the January 15, 2004 meeting.

MOTION: Linda Sanner moved, seconded by June Bahr, to nominate Jacqueline Johnsrud as Chair. Motion carried unanimously.

MOTION: Jacqueline Johnsrud moved, seconded by Blaine Ropson, to nominate June Bahr as Vice Chair. Motion carried unanimously.

MOTION: Jacqueline Johnsrud moved, seconded by Bettye Lawrence, to nominate Kathleen Sullivan as Secretary. Motion carried unanimously.

The election results are as follows:

ELECTION RESULTS	
Board Chair	Jacqueline Johnsrud
Board Vice Chair	June Bahr
Board Secretary	Kathleen Sullivan

The new Chair, Jacqueline Johnsrud, took over the meeting at 9:45 a.m. There was another review of the Committee assignments for the Board after the election. Gina York will make the indicated changes and the newly revised lists will be distributed at the next Board meeting.

MINUTES OF DECEMBER 5, 2003

MOTION: Linda Sanner moved, seconded by Bettye Lawrence to approve the December 5, 2003 minutes as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Kimberly Nania, Bureau Director of Health Service Professions, announced the retirement of Attorney Wayne Austin and Head Legal Counsel, Bill Dusso. Steve Gloe has been hired as the new Head of Legal Counsel. Dr. Nania introduced Attorney Bill Black who will be providing legal consultation for today's meeting due to Mr. Austin's retirement.

The building plans for the renovation have been completed and will be going through the bidding process. The remodeling is expected to be done by the end of the year.

Board member, Bettye Lawrence, will be resigning from the Board and Dr. Nania will let the Secretary's Office know of this decision. The Board thanked her for her dedicated service at today's meeting.

PRESENTATION OF PROPOSED STIPULATIONS

The Board had two proposed stipulations before the Board at today's meeting. They were Karen L. Cejka, RN and Mardella L. Moore, RN.

PRESENTATION OF PROPOSED STIPULATIONS MAILED AFTER THE AGENDA

There was one stipulation after the mailing of the agenda to be presented before the Board, Michelle M. Donar, RN

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES

The reviewed the December 9, 2003 report. This report has cases that should have been removed or had the case status updated. This report is incorrect and the Board requested the following four cases be changed to accurately reflect their status.

Chu Case – Closed
Tenlger Case – Off

Clevanger Case – Off
Munster Case – Off

Dr. Nania will follow on the Board's request and forward the information regarding these changes. Dr. Nania will provide an updated report at the next meeting.

NURSE LICENSURE COMPACT ADMINISTRATORS POLICY DOES THE BOARD WISH TO ADHERE TO THESE POLICIES

The Board discussed whether to go with the compact policies or to follow Wisconsin's rules. One of the main problems that occurs when individuals are coming to Wisconsin by endorsement. The Board would like to review related policies, rules and regulations before making a final decision.

MOTION: Linda Sanner moved, seconded by Blaine Ropson to postpone this topic until the next Board meeting. Motion carried unanimously.

BOARD OF NURSING MISSION STATEMENT

The Board reviewed the mission statement at today's meeting and took the action.

Wisconsin Board of Nursing Mission Statement

The mission of the Wisconsin Board of Nursing is to provide for public protection by administration of the laws governing the practice of nursing.

MOTION: Bettye Lawrence moved, seconded by Blaine Ropson accept the mission statement presented at the January 15, 2004 meeting. Motion carried unanimously.

REPORT OF THE EDUCATION AND LICENSING COMMITTEE

The Committee reviewed the California Decision regarding Excelsior College. The Committee looked at the EMT curriculum and requested Barbara Showers, Office of Education and Examinations to provide the complaint ratio and the information submitted by Excelsior College for the next Committee meeting.

The Committee reviewed the Northcentral Technical College alternative master degrees for nursing and whether it met MSN requirement. The Committee discussed this topic with Barbara Showers, Office of Education and Examinations and she check on specific information identified at today's meeting regarding the status of one of the instructors. The Committee took the following action.

MOTION: June Bahr moved, seconded by Blaine Ropson, to deny the request for approval of the alternative masters' degrees for Northcentral, George Washington University and UW-Stout. Recommendation forwarded to the full Board, as these degree programs do not meet the MSN requirement. Motion carried unanimously.

The Committee discussed the Lakeshore Technical College first graduation class was completed and all passed the NCLEX PN examination. This program is having its last class in July of 2004 and then will convert to the new statewide curriculum. A site visit is being scheduling and Blaine Ropson may be able to attend on behalf of the Committee he will check his calendar.

The Committee reviewed and discussed California College for Health Sciences master programs and after much discussion; they recommended to continue to stick with the Masters in Nursing and took the following action.

MOTION: June Bahr moved, seconded by Blaine Ropson, the Committee recommends to deny the approval of the California College for Health Sciences Masters of Science in Health Services, Health Care Administration, and Public Health. Motion carried unanimously.

The Committee felt they might want to go over the materials from the fall meeting on Alternative Models of Education.

Board's Actions

MOTION: Linda Sanner moved, seconded by Blaine Ropson accept the recommendations of the Education and Licensure Committee from the January 15, 2004 meeting. Motion carried unanimously.

HOW TO HANDLE FIVE YEAR ORDERS

The Board discussed this topic with Bill Black, Legal Counsel, regarding the handling of five year orders. Attorney Black reviewed the standard order and he indicated the Board has the ability to do an indefinite suspension if they wished. The Board decided to keep the five year orders as is.

REPORT OF PRACTICE COMMITTEE

Linda Sanner reported the Committee is currently working on two position papers. The position paper titled "Position of the Board of Nursing on Performance of IV Therapy by Licensed Practical Nurses" was revised on November 7, 2003. The Committee reviewed the document at today's meeting and took the following action.

MOTION: June Bahr moved, seconded by Bettye Lawrence, to approve the position paper revised on November 7, 2003 regarding the Performance of IV Therapy by Licensed Practical Nurses and was reviewed on January 15, 2004. Motion carried unanimously.

The "Position of the Board of Nursing Regarding the Use of Nurse Technicians" is being revised by Jacqueline Johnsrud and Kathleen Sullivan for the next Committee meeting.

The Committee will continue the annual review of the Board's position papers over the next several months and requested that the full Board meeting time to be moved to begin at 9:30am. This will be done starting with the next meeting agenda.

CONSULT WITH LEGAL COUNSEL

The Board consulted with Attorney Bill Black through out the meeting as needed. It was shared that Kelly Niesen, Paralegal, has been assigned to cover practice questions. The Board requested that all decisions must go through the Practice Committee Chair upon receiving and will be review by the Chair before responding. The Board inquired about the Practice Question materials kept by the Board's former Legal Counsel, Wayne Austin. The Board took the following action.

MOTION: June Bahr moved, seconded by Kathleen Sullivan, to request to contact the Practice Committee Chair, Linda Sanner on all practice questions received in order to arrive at a final decision prior to making a response. Motion carried unanimously.

INFORMATIONAL ITEMS

45 DAY RE-TAKE POLICY NCLEX

Noted.

CORRESPONDENCE: THANK YOU FROM TONY DRIESSAN REGARDING OPT-OUT

Noted.

VISITORS COMMENTS

Noted.

CLOSED SESSION

Open session adjourned at 11:45 a.m.

MOTION: Linda Sanner moved, seconded by Kathleen Sullivan, to adjourn to closed session pursuant to Wisconsin State Statutes 19.85 (1)(a)(b)(f) and (g) for the purpose of application reviews, request for stays of suspensions, request for full licensure, request for reinstatement for stay of suspension, IPP reviews, approval of refresher courses, request for extension of time to pay costs, deliberation of proposed stipulations, deliberation of proposed administrative warning, deliberation of order fixing costs, deliberation of proposed decision in the matter of disciplinary proceedings, meeting with the Division of Enforcement and consulting with Legal Counsel.

Motion carried by roll call vote: June Bahr-yes, Jacqueline Johnsrud-yes; Blaine Ropson-yes; Linda Sanner-yes, Bettye Lawrence-yes, and Kathleen Sullivan-yes. Motion carried unanimously.

IMPAIRED PROFESSIONALS PROCEDURE (IPP)

REVIEW APPLICATION FOR DENIAL IN IPP PROGRAM CASE #531

MOTION: Linda Sanner moved, seconded by Blaine Ropson, to deny the application to the IPP program for IPP Case # 531. Reason for Denial: The applicant had been in IPP before and pending charges against her at this time may become criminal in nature. Motion carried unanimously.

APPEARANCES BEFORE THE BOARD

ANN NESBITT

MOTION: Linda Sanner moved, seconded by June Bahr, to deny her request for a limited license. Reason for Denial: Ms. Nesbitt is currently on the medication, Methadone. A letter from monitoring that the Board would need three months of urine screens and a fitness to practice letter from her treatment providers. Motion carried unanimously.

DAVID SARGENT

MOTION: Linda Sanner moved, seconded by June Bahr, to offer David Sargent a stipulation of 5 years in length with an immediate 3 month stay and to request additional future 3 months stays, provide 3 months for DOC urine screen reports with a board approved urine testing lab with 26 random urine screens per year, submission of quarterly work reports, access allowed to narcotics, prior approval of worksite, no pool, agency, home health or hospice work, no direct supervision, continue with quarterly psychology reports, and continue with AA/NA.

REQUEST REINSTATEMENT OF LIMITED LICENSE

JENNIFER HASE

MOTION: Linda Sanner moved, seconded by June Bahr, to issue Jennifer Hase a new stipulation of 5 years in length with immediate 3 month stay upon signing the new stipulation, 56 random urine screens per year, AA/NA twice a week with a signed attendance card, weekly counseling to including cancer counseling, prior approval of worksite, no access to narcotics, no pool, agency, home health or hospice work and submission of quarterly work reports, and quarterly reports from her counselor.

REQUEST FOR THREE MONTH STAYS OF SUSPENSION WITH MODIFICATIONS

JOHN ALLEN

MOTION: Linda Sanner moved, seconded by Bettye Lawrence, to grant a three-month stay to John Allen with the modification to discontinue his weekly therapy. Motion carried unanimously.

KATHLEEN ANGLEHART

MOTION: Linda Sanner moved, seconded by June Bahr, to grant a three-month stay to Kathleen Angelhart with modifications to decrease therapy to one time per month and urine screens to twenty-six per year. Motion carried unanimously.

LESLIE HOBERG

MOTION: June Bahr moved, seconded by Bettye Lawrence, to grant a three-month stay to Leslie Hoberg, and deny her request for modifications to reduce urine screens and her therapy to drop to twice a month. Reason for Denial: Ms. Hoberg was previously granted reductions in August of 2003 and it has not been that long since previous deductions were granted. Motion carried unanimously.

BRENDA KLABACKA

MOTION: Bettye Lawrence moved, seconded by Linda Sanner, to grant a three-month stay to Brenda Klabacka with the modifications to reduce her urine screens to twenty-six per year and reduce her therapy to one time per month. Motion carried unanimously.

PETER LEONARD

MOTION: June Bahr moved, seconded by Linda Sanner, to suspend the license of Peter Leonard due to a violation of the Board order. Reason for Suspension: Supervisor reports he has access to controlled substance, order states no access. Motion carried unanimously.

[Administrative Correction- At its January 15, 2004, meeting, the board denied Leonard's petition for a further three month stay of suspension based upon a work supervisor report dated December 10, 2003, disclosing that Leonard had access to controlled substances. It was not brought to the board's attention that on July 11, 2002, the board had previously granted Mr. Leonard's request that he be granted access to controlled substances in his nursing employment.

Accordingly, by administrative correction authorized by the board chair, the board's denial of a stay of suspension is vacated and the three month stay of suspension requested by Leonard is hereby granted.]

REQUEST FOR EXTENSION

ROBERT MACKINS

MOTION: Linda Sanner moved, seconded by Bettye Lawrence, to grant Robert Mackins an extension of three months to complete his CE's. Motion carried unanimously.

POSSIBLE BOARD VIOLATION

LESLIE BRANDON

MOTION: June Bahr moved, seconded by Bettye Lawrence, to suspend the license of Leslie Brandon. Reason for Suspension: Ms. Brandon's violation of the Board Order, she has not met her educational requirements. Motion carried unanimously.

MONITORING RECEIVED AFTER MAILING OF THE AGENDA

DEBRA KLOSS

MOTION: Linda Sanner moved, seconded by June Bahr, to deny the request of Deborah Kloss to lift her suspension of licensure. Reason for Denial: The psychology report regarding Ms. Kloss indicates her continued problems with ethical boundaries. Motion carried unanimously.

CALEY POWELL

MOTION: Linda Sanner moved, seconded by Blaine Ropson, to grant full licensure to Caley Powell. Motion carried unanimously.

STIPULATIONS

KAREN L. CEJKA, RN

MOTION: Linda Sanner moved, seconded by June Bahr, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of Karen L. Cejka, RN. Motion carried unanimously.

MARDELA L. MOORE, RN

MOTION: Linda Sanner moved, seconded by June Bahr, to postpone a decision until later in the meeting to obtain additional information. Motion carried unanimously.

MOTION: Linda Sanner moved, seconded by June Bahr, to amend the Stipulation to read, to issue a suspended license, grant an immediate stay, and applying for successive three-month stays in the matter of Mardela L. Moore, RN. Motion carried unanimously.

MICHELLE M. DONAR, RN

MOTION: Linda Sanner moved, seconded by June Bahr, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of Michelle M. Donar, RN. Motion carried unanimously.

BRUCE E. WALLEY, RN

MOTION: Linda Sanner moved, seconded by June Bahr, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of Bruce E. Walley, RN. Motion carried unanimously.

DELIBERATION OF PROPOSED ADMINISTRATIVE WARNINGS

CAROL J. FISHER-BJORK, RN

MOTION: June Bahr moved, seconded by Linda Sanner, to issue an administrative warning to Carol J. Fisher-Bjork, RN. Motion carried unanimously.

LAURENE J. OATES, RN

MOTION: June Bahr moved, seconded by Blaine Ropson, to issue an administrative warning to Laurene J. Oates, RN. Motion carried unanimously.

JENNIFER A. PAWLUS, LPN

MOTION: June Bahr moved, seconded by Bettye Lawrence, to issue an administrative warning to Jennifer A. Pawlus, LPN. Motion carried unanimously.

MARGARET A. LASECKE, RN

MOTION: Linda Sanner moved, seconded by Blaine Ropson, to issue an administrative warning to Margaret A. Lasecke, RN. Motion carried unanimously.

**DELIBERATION OF PROPOSED ADMINISTRATIVE WARNINGS
RECEIVED AFTER THE MAILING OF THE AGENDA**

EDDIE J. EVANS, LPN

MOTION: Linda Sanner moved, seconded by Blaine Ropson, to issue an administrative warning to Eddie Evans. Motion carried unanimously.

DIVISION OF ENFORCEMENT AND CASE STATUS REPORT

MOTION: Linda Sanner moved, seconded by June Bahr, to close case **02 NUR 263**, for no violation. Motion carried unanimously.

MOTION: June Bahr moved, seconded by Linda Sanner, to close **02 NUR 198** for no violation. Motion carried unanimously.

MOTION: June Bahr moved, seconded by Blaine Ropson, to close case **03 NUR 271** for **P7** (which states there may have been a violation but the regulatory authority has taken action in regard to this credential holder which addressed the conduct and makes further action unnecessary). Motion carried unanimously.

MOTION: Linda Sanner moved, seconded by Bettye Lawrence, to close case **03 NUR 317** administratively. Motion carried unanimously.

MOTION: Linda Sanner moved, seconded by June Bahr, to not close case **99 NUR 118** and to file a formal complaint. Motion carried unanimously.

MOTION: June Bahr moved, seconded by Linda Sanner, to close case
00 NUR 093 for no violation. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Linda Sanner moved, seconded by June Bahr, to go into open session at
2:18 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Linda Sanner moved, seconded by Bettye Lawrence to affirm all decisions
made in closed session. Motion carried unanimously.

OTHER BOARD BUSINESS

SCREENING PANEL

Bettye Lawrence is resigning from the Board the screening panel members will be Blaine
Ropson, Linda Sanner, and Kathleen Sullivan.

LUNCHESES FOR THE BOARD

The Board has requested that no lunches be ordered for all future BON meetings.

ADJOURNMENT

MOTION: Bettye Lawrence moved, seconded by Linda Sanner, to adjourn the meeting
at 2:25 p.m. Motion carried unanimously.

**NEXT MEETING:
April 22, 2004
Room 179A**